

CLINTON COUNTY BOARD
April 15, 2002

The April meeting of the Clinton County Board was called to order by Sheriff Paul Spaur Monday, April 15, 2002, at 7:00 p.m. in the board room on the second floor of the Jail.

Roll call: Present - Hitpas, Holtgrave, Kloeckner, Lampe, Mensing, Murray, Pingsterhaus, Robbins, Sullivan, Craig Taylor, Jack Taylor, Winkler and Winter.

The Pledge of Allegiance was recited. All visitors and guests were asked to introduce themselves.

MOTION by Lampe second by Hitpas to appoint Stan Droege as county board member to fill the vacancy created by the resignation of H. Dean Keister. **MOTION CARRIED.**

County Clerk Thomas LaCaze administered the oath of office to Stan Droege and he was seated.

MOTION by Kehrer second by Kloeckner to approve the minutes of the previous meeting. **MOTION CARRIED.**

Ed Weilbacher of the Southwestern IL RC&D Council gave a report on the various activities the Council has been involved in. He also presented the annual report of the RC&D Council. Darrel Brink, Edwin Varel and Jim Sullivan are the county representatives on the Council.

First reading of appointment: Al Brueggemann - Board of Review.

MOTION by Lampe second by Kloeckner to approve the appointment of Duane Kampwerth as trustee of the Germantown Rural Fire Protection District. **MOTION CARRIED.**

MOTION by Sullivan second by Craig Taylor to approve the appointment of Charles Ripperda as trustee of the Aviston Fire Protection District. **MOTION CARRIED.**

MOTION by Jack Taylor second by Hitpas to approve the appointment of Sylvester Kauling as trustee of the Carlyle Fire Protection District. **MOTION CARRIED.**

MOTION by Kloeckner second by Kehrer to approve the appointment of Wayne Kiefer as trustee of the Clin-Clair Fire Protection District. **MOTION CARRIED.**

MOTION by Mensing second by Winter to approve the appointment of Edwin Meyer as trustee of the Santa Fe Fire Protection District. **MOTION CARRIED.**

MOTION by Craig Taylor second by Sullivan to approve the appointment of Stephen Buzzard as trustee of the Sugar Creek Fire Protection District. **MOTION CARRIED.**

MOTION by Hitpas second by Murray to approve the appointment of John White as trustee of the Huey Ferrin Boulder Fire Protection District. **MOTION CARRIED.**

MOTION by Holtgrave second by Mensing to approve the appointment of Michael Peppenhorst as Trustee of the Wade Township Fire Protection District. **MOTION CARRIED.**

MOTION by Craig Taylor second by Sullivan to approve the appointment of Robert Strotheide as trustee of the Wheatfield Township Fire Protection District. **MOTION CARRIED.**

MOTION by Holtgrave second by Mensing to approve the appointment of Duane Grapperhaus as trustee of the Breese Fire Protection District. **MOTION CARRIED.**

MOTION by Hitpas second by Lampe to approve the appointment of Clarence Price as trustee of the Shattuc Lighting District. **MOTION CARRIED.**

MOTION by Kehrer second by Kloeckner to approve the appointment of Carolyn Anderson as trustee of the New Memphis Lighting District. **MOTION CARRIED.**

MOTION by Mensing second by Winter to approve the appointments of Joseph Voss and James Kampwerth as trustees of the Carlyle Southwest Public Water District. **MOTION CARRIED.**

MOTION by Sullivan second by Craig Taylor to approve the appointments of Paul Meyer and Allen Strieker as trustees of the St. Rose Public Water District. **MOTION CARRIED.**

MOTION by Craig Taylor second by Sullivan to approve the appointment of Clarence Kohlbrecher as trustee of the St. Rose Sanitary District. **MOTION CARRIED.**

MOTION by Kehrer second by Kloeckner to approve an "Agreement for Management and Other Administrative Services By and Between Clinton County and Brown & Roberts, Inc. to administer CDAP Grant #99-24272 for New Memphis Sanitary District. **MOTION CARRIED.**

Nic Wessel addressed the board about concerns that he and his neighbors have regarding the expansion of the Kampwerth Hog Farms in his area. Kampwerth will be erecting two more hog barns. Wessel said the IL Environmental Protection Agency and the IL Department of Agriculture have signed all the necessary permits allowing the expansion. His group would like the county to either increase the assessment of the hog barns or drop his and his neighbors assessments.

911 COMMITTEE - The Committee has scheduled a mapping meeting for April 17, 2002, and would like all department heads to attend.

INSURANCE TRUST - County Clerk LaCaze reported the health insurance program with

ICIT will continue. At one time it looked like it might be terminated.

INDUSTRIAL PARK/LAKE TASK FORCE COMMITTEE - MOTION by Craig Taylor second by Mensing to have one acre of the industrial park surveyed for sale to Troy and Kim Kenard for a fiberglass repair shop. **MOTION CARRIED.**

UNINCORPORATED AREA IMPROVEMENT COMMITTEE - There will be a meeting with the Royal Lakes Community on April 25, 2002, at 7:00 p.m. concerning a CDAP Housing Rehabilitation Grant at Royal Lakes.

The following committees had no reports: Safety, Welfare, Law Enforcement/ESDA, Economic Development, and Personnel.

EDUCATION COMMITTEE - Committee Chairman Jack Taylor reported the Regional Office of Education is very concerned as to how much funding will be cut by the State.

708 MENTAL HEALTH BOARD - the next meeting is scheduled for April 23, 2002.

SOLID WASTE COMMITTEE - The recycling day at Breese was a big success. Trenton is looking at curbside pick-up for recycling twice a month.

TOURISM COMMITTEE - Southwestern IL Tourism Council has a meeting Wednesday evening when they will be reviewing the three applications for the position of Director. The next meeting of the Tourism Committee is April 18, 2002.

ZONING/SUBDIVISION COMMITTEE - Committee Chairman Winkler reported everyone should have received their "Finding of Facts" from the Zoning Administrator. The Zoning Board of Appeals now rules on everything except ordinances changes and mapping changes.

ROAD & BRIDGE COMMITTEE - MOTION by Craig Taylor second by Hitpas to approve a resolution to award the bid for road oil for the Townships to Don Anderson Co of Hoffman. **MOTION CARRIED.**

MOTION by Lampe second by Kloeckner to award the bid for road oil for the County to Don Anderson Co. **MOTION CARRIED.**

MOTION by Winter second by Murray to award the bid for asphalt to mix with rock for the Townships to Marathon Ashland Petroleum Co. of St. Elmo. **MOTION CARRIED.**

MOTION by Mensing second by Hitpas to award the bid for asphalt to mix with rock for the County to Marathon Ashland Petroleum Co. of St. Elmo. **MOTION CARRIED.**

MOTION by Holtgrave second by Kehrer to award the bid for all bituminous concrete mixtures for the County to Keyesport Sand and Gravel. **MOTION CARRIED.**

MOTION by Lampe second by Hitpas to award the bid for road oil to Don Anderson Co. **MOTION CARRIED.**

MOTION by Holtgrave second by Mensing to award the bid for bituminous concrete mixtures to Keyesport Sand and Gravel. **MOTION CARRIED.**

MOTION by Mensing second by Kloeckner to approve a resolution to pay the salary of the County Engineer with Motor Fuel Tax Funds. **MOTION CARRIED.**

MOTION by Craig Taylor second by Sullivan to approve a petition from the St. Rose Township Highway Commissioner for 50% county match to replace a culvert on Keyesport Road. **MOTION CARRIED.**

Engineer Mitchell reported he has received requests for lights at the intersection of CH#5 (Shattuc Road) and U.S.50 and CH#13 (Stolletown Road) and new US 50. The installation and monthly cost for these lights vary. The Highway Committee is working on a proposed policy for the County Board to consider for lights at these intersections.

Work has begun on the CH#7 (Hanover Street) project at Germantown.

FINANCE/HEALTH SERVICES COMMITTEE - MOTION by Kehrer second by Lampe to increase the pay of the County Board Chairman to \$1,500.00 annually. **MOTION CARRIED.**

The Health Department is in need of more space. The Committee is looking into constructing a new building on the parking lot by the annex building or adding to the existing one and will try to have figures available at next month's meeting. The Health Department is offering free cholesterol and blood pressure screenings at the office.

MOTION by Craig Taylor second by Hitpas to approve the monthly budget and financial reports of the Treasurer's Office. **MOTION CARRIED.**

FACILITIES COMMITTEE - The benches donated by the Dale Quick family for placement by the water fountain will be delivered soon. They will also be planting shrubbery around the fountain area.

AGRICULTURE COMMITTEE - The contract with Dr. Baer for Animal Control services has been renewed for a three year period. Eight new animal cages have been made by prisoners at the Centralia Correctional Center at no cost to the county.

GENERAL SERVICES/JUDICIARY COMMITTEE - MOTION by Craig Taylor second by Mensing to approve the "Fees" portion of the "Retail Food Establishment Ordinance" that was passed last month. **MOTION CARRIED.**

LIQUOR COMMITTEE - The Committee reported the State continued the hearing of Popeye's liquor license until June 5, 2002.

MOTION by Winkler second by Craig Taylor to approve payment of the General Claims. **MOTION CARRIED.**

MOTION by Mensing second by Hitpas to approve payment of the General Services Claims. **MOTION CARRIED.**

MOTION by Winter second by Kloeckner to approve payment of the Regular Finance Claims. **MOTION CARRIED.**

MOTION by Sullivan second by Kehrer to approve payment of the Jail Finance Claims. **MOTION CARRIED.**

MOTION by Holtgrave second by Mensing to approve payment of the Health Department Claims. **MOTION CARRIED.**

MOTION by Jack Taylor second by Hitpas to approve payment of the Health Department/WIC Claims. **MOTION CARRIED.**

MOTION by Jack Taylor second by Holtgrave to approve payment of the 708 Mental Health Board Claims. **MOTION CARRIED.**

MOTION by Kloeckner second by Sullivan to approve payment of the Road and Bridge Claims. **MOTION CARRIED.**

Board Member John Winter submitted his resignation from the board effective with this meeting. Board member David Lampe submitted the name of John Raymond as a replacement for Winter to be voted on at next month's meeting.

MOTION by Lampe second by Holtgrave to approve a resolution recognizing the Germantown Grade School Lady Bull Dogs for winning first place in the SIJHSAA, Region 6, Class "S" state volleyball competition. **MOTION CARRIED.**

The date for the regular monthly meeting of the Clinton County Board in July will be Tuesday, July 16, 2002 at 7:00 p.m. instead of Monday because of the annual fair parade

MOTION by Robbins second by Winter to adjourn the meeting. **MOTION CARRIED.**

Herb Pingsterhaus
Board Chairman

Thomas LaCaze, County Clerk

#04-02-01

AGREEMENT FOR MANAGEMENT AND OTHER ADMINISTRATIVE SERVICES BY AND BETWEEN

CLINTON COUNTY AND BROWN & ROBERTS, INC.

This agreement, made this 15th day of April, 2002, by and between Clinton County (hereinafter referred to as the **Grantee**) and Brown & Roberts, Inc. (hereinafter referred to as **BRI**) is for the provision of Management and Administrative Assistance in connection with the Sponsor's single purpose Community Development Assistance Program (**CDAP**) **Grant #99-24272** for the purpose of **Design Engineering** from the Department of Commerce and Community Affairs (hereinafter referred to as **DCCA**).

WITNESSETH: that for and in consideration of the mutual covenants and promises between the parties hereto, it is hereby agreed as follows:

Section A - Grant Management/Administrative Services (BRI Responsibilities)

It is expressly implied and understood between the parties to this agreement that upon formal acceptance and approval of the CDAP application by DCCA, BRI shall furnish the GRANTEE the following types of Grant Management and Administrative Services in order to aid officials in the proper development and timely submission of related CDAP post approval requirements.

Such assistance shall include the following services:

- BRI shall make available to the Grantee the necessary professional and clerical staff resources to assist in the proper removal of all applicable "contract conditions" prior to the actual expenditure of CDAP proceeds.
- BRI shall, on behalf of the GRANTEE, establish proper financial systems and procedures.
- BRI shall develop and submit requisite responses arising from periodic monitoring visits by DCCA officials in a manner consistent with that prescribed by DCCA.
- BRI shall establish the fiscal management procedures in an acceptable program filing system consistent with Federal Management Circular 74-4 and OMB Circular A-102.
- BRI shall assure proper development and timely submission of a "project closeout report" (Grantee Performance Report) leading to a final sign-off by DCCA of the Grantee's legal responsibilities associated with the CDAP grant.

Section B - Compensation for Grant Management/Administrative Services (Grantee's Responsibilities)

The GRANTEE (contingent only upon its subsequent receipt of DCCA approval of its CDAP request) shall, from the administrative allocations contained in its afore-mentioned DCCA Grant, compensate BRI for such Grant Management and Administrative Services in an amount not to exceed **\$7,000.00**.

The GRANTEE may draw upon these funds by executing a voucher signed by the Grand Administrator for Public Facilities of BRI.

BRI shall be responsible for all advertising expenses.

Section C - Contract Execution Provisions

This agreement shall become effective upon the date of its execution by representatives of the Grantee and BRI and shall remain in force until such time as the Grantee is released of its Grant Management responsibilities by DCCA. This agreement may be terminated by either of the participating parties by providing the other party with written notification sixty (60) days in advance of the proposed date of termination, and by specifying reasonable cause(s) for such termination. In such an event, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs, and reports prepared by BRI under this contract shall, at the option of the Grantee, become its property and BRI shall be entitled to receive just and equitable compensation for work satisfactorily completed.

The Grantee may, from time to time, request changes in the scope of the services to be performed by BRI under this contract. Such changes, including an increase or decrease in the amount of BRI's compensation, which are mutually agreed upon by and between the Grantee and BRI shall be made.

None of the work or services covered by this contract shall be contracted by BRI without the prior written approval of the Grantee. Any work or services subcontracted hereunder shall be specified via a written contract agreement and shall be subject to each provision of this contract.

BRI shall maintain accounts and records, including personnel, property and financial records, adequate to identify and account for all costs pertaining to this contract and such other records as may be deemed necessary to assure proper accounting for all project funds. These records will be made available for audit purposes and will be retained for three years after the expiration of this contract unless permission to destroy them is granted by the Grantee.

Relative to the provisions of Executive Order 11246 (for contracts of \$10,000 or less), BRI agrees that during the performance of its contractual responsibilities:

- It will not discriminate against any employee or applicant for employment because of race, creed, sex, color or national origin. BRI will take affirmative action to ensure that applicants are employed, and

the employees are treated during employment, without regard to their race, creed, sex, color or national origin. Such action shall include, but not be limited to the following: employment upgrading, demotion, or transfer; recruitment or recruitment advertising; lay off or termination; rates or pay or other forms of compensation; and selection for training, including apprenticeship.

- BRI will, in all solicitation or advertisements for employees placed by or on behalf of the agency, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, sex or national origin.
- BRI will cause the foregoing provisions to be inserted in all subcontracts for any work covered by this contract so that such provisions will be binding upon each subcontractor, provided that the foregoing provisions shall not apply to contracts or subcontracts for standard commercial supplies or raw materials.

Relative to the provisions of Section 503 of the Rehabilitation Act of 1973 which addresses affirmative action measures for the employment of handicapped workers, BRI agrees that it will not discriminate against any employee or applicant for employment because of physical or mental handicap in regard to any position for which the employee or applicant for employment is qualified. BRI further agrees to treat qualified physical or mental handicap in all employment practices such as the following: employment, upgrading, demotion or transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.

Relative to the provisions of Section 504 of the Rehabilitation Act of 1973, as amended, BRI agrees that no otherwise qualified individual with handicaps in the United States shall, solely by reason of his/her handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Relative to the provisions contained in Section 402 (if \$10,000 or over) which addresses the need for affirmative action measures for the employment of disabled veterans and veterans of the Vietnam era, BRI agrees that it will not discriminate against any employee or applicant for employment because he or she is a disabled veteran or veteran of the Vietnam era in regard to any position for which the employee or applicant for employment is qualified. BRI further agrees to take affirmative action to employ, advance in employment and otherwise treat qualified disabled veterans and veterans of the Vietnam era without discrimination based upon their disability or veteran status in all employment practices such as the following: employment, upgrading, demotion, or transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.

BRI also agrees that all suitable employment openings of the agency which exist at the time of the execution of this contract and those which occur during the performance of this contract, including those not generated by this contract and including those occurring at an establishment of BRI other than the one wherein the contract is being performed but excluding those of independently operated corporate affiliates, shall be listed at an appropriate local office of the Illinois Job Service system wherein the opening occurs. BRI further agrees to provide such reports to such local office regarding employment openings and hires as may be required.

In an attempt to avoid any real or perceived "conflict of interest" no member of the governing body of the Grantee and no other officer, employee, or agent of the Grantee who exercise any functions, responsibilities, in connection with the planning and carrying out of the program, shall have any personal financial interest, direct or indirect, in this contract; and BRI shall take appropriate steps to assure such compliance. Furthermore, no member of the governing body of any other government and no other public official who exercises

an functions or responsibilities in connection with the planning and carrying out of the program, shall have any personal financial interest (direct or indirect) in this contract; and BRI shall take appropriate steps to assure such compliance.

Finally, BRI covenants that it presently has no interest and shall not acquire interest (direct or indirect) in the jurisdiction in question or any parcels therein or any other interest which would conflict in any manner or degree with the performance of the services specified herein. BRI further covenants that in the performance of this contract no person having any such interest shall be employed by the agency.

Brown & Roberts, Inc.

By: J. W. Brown, President
Dated April 15, 2002

Clinton County

By: Herb Pingsterhaus, Chairman
Dated April 15, 2002

WHEREAS, bids were received at a letting held on April 8, 2002 at 10:00 a.m. at the Clinton County Highway Department for the purchase of bituminous materials required in the maintenance of the Various Road District Sections, Breese 02-01000-00-GM, Brookside 02-02000-00-GM, Carlyle 02-03000-00-GM, Clement 02-04000-00-GM; East Fork 02-05000-00-GM; Germantown 02-06000-00-GM; Irishtown 02-07000-00-GM, Lake 02-08000-00-GM; Lookingglass 02-09000-00-GM; Meridian 02-1000-00-GM; Santa Fe 02-11000-00-GM; St. Rose 02-12000-00-GM; Sugar Creek 02-13000-00-GM; Wade 02-14000-00-GM; and Wheatfield 02-15000-00-GM.

NOW THEREFORE BE IT RESOLVED, that the County Board at the regular meeting held on the 15th day of April 2002, does hereby make the following awards subject to the approval of the IL Department of Transportation:

TO: Don Anderson Co., P. O. Box 227, Hoffman, IL 62250; and

Marathon Ashland Petroleum, P. O. Box 35, St. Elmo, IL 62458

BE IT FURTHER RESOLVED that the County Clerk is hereby instructed to furnish the County Engineer with three certified copies of this resolution.

Seal

S/ Thomas LaCaze, County Clerk

#04-02-03

WHEREAS, bids were taken at a letting held on April 8, 2002 at 10:00 a.m. at the Clinton County Highway Department for the purchase of bituminous materials required in the maintenance of County MFT Section 02-00000-00-GM Patrol #1;

NOW THEREFORE BE IT RESOLVED, that the County Board at the regular meeting held this 15th day of April 2002, does hereby make the following awards in accordance with IL Department of Transportation policy:

TO: Don Anderson Co., P. O. Box 227, Hoffman, IL 62250; and

Marathon Ashland Petroleum, P. O. Box 35, St. Elmo, IL 62458; and

Keyesport Sand and Gravel, R. R. #1, Box 27, Keyesport, IL

Seal

S/ Thomas LaCaze, County Clerk

#04-02-04

WHEREAS, bids were taken at a letting held on April 8, 2002 at 10:00 a.m. at the Clinton County Highway Department for the purchase of material;

NOW THEREFORE BE IT RESOLVED that the County Board at the regular meeting held this 15th day of April 2002 does hereby make the following awards;

TO: Don Anderson Co., P. O. Box 227, Hoffman, IL 62250; and

Keyesport Sand & Gravel, R.R.#2 Box 27, Keyesport, IL 62253

Seal

S/ Thomas LaCaze, County Clerk

#04-02-05

WHEREAS, the salary of the County engineer may be paid from the County's portion of Motor Fuel Tax Funds, and

WHEREAS, it is the desire of the Clinton County Board to pay the majority of the salary of the County Engineer from the Motor Fuel Tax Allotment;

NOW, THEREFORE, BE IT RESOLVED that the sum of \$77,100 be hereby appropriated from the County's share of Motor Fuel Tax Funds for the payment of the salary of the County Engineer from January 1, 2002 to December 31, 2002.

BE IT FURTHER RESOLVED that the County Clerk is hereby requested to submit two certified copies of this resolution to the Department of Transportation through its District Engineer at Collinsville, IL.

Seal

S/ Thomas LaCaze, County Clerk

#04-02-06

Three year contract with Dr. Baer for Animal Control Services. (Treasurer's Office has original)

#04-02-07

Fees schedule for Retail Food Establishment Ordinance (Food Sanitation)

8. FEES - Fees be charged by the Regulatory Authority for permits in amounts sufficient to cover all or part of the cost for regulation and inspection. Fees for various categories of food service establishments may

be established by the Board of Health with advise and consent of thte County Board. This fee shall be collected by the Regulatory Authority and shall be deposited into the Health Department Fund.

a. The permit fees shall be: High Classification - \$55.00, Medium Classification - \$35.00, Low Classification and Temporary Classification - \$25.00.

b. Non Profit organizations shall be exempt.

#04-02-08

WHEREAS, the Clinton County Board of Clinton County, Illinois, has a policy of recognizing excellence in any field of endeavor by any Clinton County resident; and

WHEREAS, the Clinton County Board desires to recognize the athletic achievement of students in Clinton County; and

WHEREAS, Germantown Lady Bulldogs Volleyball Team has distinguished itself by winning first place in the state competition of the Southern Illinois Junior High School Athletic Association, Region 6, Class "S", in the State of Illinois;

NOW THEREFORE, BE IT RESOLVED by the Clinton County Board at their regular meeting, April 15, 2002, that the Germantown Lady Bulldogs Volleyball Team be recognized for its outstanding achievement.

DATED this 22nd day of May, 2002.

S/ Herbert Pingsterhaus
County Board Chairman

Attest: S/ Thomas LaCaze, County Clerk